



**SENATE SUBSTITUTE AMENDMENT 1,
TO 1997 SENATE BILL 148**

November 19, 1997 - Offered by Senators C. POTTER and BRESKE.

1 **AN ACT to amend** 655.007 and 895.04 (4) of the statutes; **relating to:** wrongful
2 death and injury claims.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 655.007 of the statutes is amended to read:

4 **655.007 Patients' claims.** On and after July 24, 1975, any patient or the
5 patient's representative having a claim or any spouse, parent, sibling or child of the
6 patient having a derivative claim for injury or death on account of malpractice is
7 subject to this chapter. In this section, "child" means an adult or minor child.

8 **SECTION 2.** 895.04 (4) of the statutes is amended to read:

9 895.04 (4) Judgment for damages for pecuniary injury from wrongful death
10 may be awarded to any person entitled to bring a wrongful death action. ~~Additional~~
11 The court may award additional damages not to exceed ~~\$150,000~~ \$600,000 for loss

1 of society and companionship ~~may be awarded to the~~ to any spouse, ~~children or~~
2 ~~parents~~ child, sibling or parent of the deceased.

3 **SECTION 3. Initial applicability.**

4 (1) This act first applies to acts or omissions occurring on May 25, 1995.

5 (END)